REMARKS

This paper is submitted in response to the restriction requirement the Office mailed on October 24, 2004. Provision for extension of time accompanies this paper.

After entry of the amendments, claims 25-41 are pending. The new claims add no new matter. Support for treating innate immune suppression conditions is, e.g., at paragraphs 546-548. Support for increasing neutrophils is, e.g., at paragraph 556, and support for human and primates is, e.g., at paragraph 553. Support for the chemical structures is, e.g., at paragraphs 156-161, 202-204, 363 and 364. The elected species compound, 3β,17β-dihydroxyandrost-5-ene, is compound 1.1.5.2 in group 2 as described at paragraph 159 on page 62.

The Office required selection of a single clinical treatment method and a single chemical species and disclosed in the specification. To respond to the requirement, Applicants elect the subject matter of new claim 40, which claims a single compound 3β,17β-dihydroxyandrost-5-ene for treating innate immune suppression due to radiation therapy. New claim 40 depends indirectly on claim 31 and Applicants believe that the requirement to select a single species and a single clinical condition is met by new claim 40.

As suggested by the Office at paragraph 6 of the restriction requirement, Applicants have reduced the scope of the compounds that new independent claim 29 recites. Variable groups R^5, R^7 and R^8 are absent from the scope of the new claim set. The clinical conditions that are listed in claim 29 are also reduced to treating innate immune suppression conditions. The new claims are more easily searched and Applicants request the Office to consider treating the subject matter that claim 29 recites as a single invention for proposes of examination and to consider the sufficiency of the written description in the disclosure for the new claims.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 501536.

Respectfully submitted,

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Date: April 22, 2005 By: Daryl D Muenchau

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